



Atty. Docket No. ADV12 P302A

A. F. Fogg

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O.Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

August 29, 2006
Date

Susan P. Van Holstyn
Susan P. Van Holstyn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1761
Examiner : Thuy Tran Lien
Appln. No. : 10/025,403
Applicants : Brian K. Doyle et al.
Filing Date : December 19, 2001
Confirmation No. : 4925
For : COATED FOOD PRODUCTS MADE FROM SHAPED DOUGH
SUBSTRATES AND METHOD OF PREPARING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:
09/06/2006 HDEMESS1 00000021 10025403

01 FC:2401

250.00 NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed June 29, 2006 finally rejecting claims 1, 2, 5, 7, 8, 11, 12, 14-17, 19, 20, 22-27, 29-33, 35-41, 43, 45-48, 50, 51, 53-55, 57, 59 and 60.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

other than a small entity
 small entity

Verified Statement

attached

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X previously submitted on December 19, 2001.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 35 USC §41(a)(6) the fee for filing the Notice of Appeal is:

<u>X</u>	small entity	\$250.00
<u> </u>	other than a small entity	\$500.00
Notice of Appeal fee due:		<u>\$250.00</u>

3. EXTENSION OF TIME

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) Applicant petitions for an extension of time under 37 C.F.R. §§41.37(e) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<u> </u> one month	\$120.00	\$60.00
<u> </u> two months	\$450.00	\$225.00
<u> </u> three months	\$1020.00	\$510.00
Fee:		\$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

(b) X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$250.00

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Extension fee (if any): \$

Total Fee Due: \$250.00

5. FEE PAYMENT

X Attached is a check in the sum of \$250.00

 Charge Account No. 16 2463 the sum of \$
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

X If any additional extension and/or fee is required charge Account No. 16 2463.
and/or

X If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,



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TAV/AGZ/svh

Date

August 29, 2006